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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **TACOMA DIVISION**

10 WILL CO. LTD. a limited liability company
11 organized under the laws of Japan,

12 Plaintiff,

13 vs.

14 KAM KEUNG FUNG, aka 馮錦強, aka
15 FUNG KAM KEUNG, aka FUNG KAM-
16 KEUNG, aka KUENG FUNG, aka KEUNG
17 KAM FUNG, aka KAM-KEUNG FUNG, aka
18 KEVIN FUNG, an individual; FELLOW
19 SHINE GROUP LIMITED, a foreign company,
20 and DOES 1-20, d/b/a AVGLE.COM,

21 Defendants.

Case No.: 3:20-cv-05666-RSL

**DECLARATION OF SPENCER
FREEMAN IN SUPPORT OF
PLAINTIFF MG PREMIUM LTD'S *EX
PARTE* MOTION FOR LEAVE FOR
ALTERNATIVE SERVICE**

22 I, Spencer D. Freeman, declare:

23 1. I am an attorney at law licensed to practice before the Courts of the State of
24 Washington and the United States District Court Western District of Washington, Eastern
25 District of Washington, District of Colorado, Southern District of Illinois, Ninth Circuit Court of
26 Appeals, and United States Supreme Court. I am the principle attorney with the law firm of

DECLARATION OF S. FREEMAN ISO PLAINTIFF'S
MOTION FOR ALTERNATIVE SERVICE [NO. 3:20-
cv-05666-RSL]

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FREEMAN LAW FIRM, INC.
1107 ½ Tacoma Avenue South
Tacoma, WA 98042
(253) 383-4500 - (253) 383-4501 (fax)

1 Freeman Law Firm, Inc., attorneys for Will Co. Ltd. Unless otherwise stated, I have personal
2 knowledge of the facts contained herein this declaration and, if called and sworn as a witness,
3 could and would competently testify thereto.

4 2. On July 8, 2020, on behalf of Will Co, I filed this instant action regarding
5 copyright infringement occurring on the web site Avgle.com.

6 3. On July 17, 2020, after attempting to determine the owners and operators of the
7 web sites, I filed a motion for leave to conduct early discovery in order to discover the actual
8 identity of the owners and/or operators of Avgle.com.

9 4. On August 3, 2020, the Court entered an Order Granting Plaintiff's Motion for
10 Early Discovery.

11 5. Pursuant to the Court's Order, I caused subpoenas to be served on Tucows
12 Domains, Inc.; GoDaddy, LLC; Domains by Proxy, LLC; CloudFlare, Inc.; PayPal, Inc.; Tiger
13 Media, Inc.; Multi Media, LLC; Mile High Glass Pipes, Inc.; and Enom, Inc.

14 6. Tucows Domains and GoDaddy, LLC provide or provided registrar services for
15 Avgle.com

16 7. Defendants use Domains By Proxy as a privacy service to hide their identities.

17 8. Cloudflare, Inc. provides Defendants with domain name server and Content
18 Delivery Network services for Avgle.com.

19 9. PayPal, Inc. was utilized by Defendants to pay for these services.

20 10. The Avgle.com web site displays advertisements brokered through or on behalf
21 of Multi Media, LLC, Mile High Glass Pipes, and Tiger Media, Inc.

22 11. Enom, Inc. provides registrar services to a URL serving ads directly to
23 Avgle.com.

24 12. In October 2020, I received and reviewed documents produced by Tiger Media
25 in response to the subpoena. Therein, Tiger Media's records indicate that in August 2020 the
26 account with updated with a new party controlling the advertising accounts for Avgle.com,

1 Fellow Shine Group Limited, with an address in the British Virgin Islands and a phone number.
2 Prior to August 2020, and since 2017, the identity of the account contact person is listed only as
3 “Avgle,” with listed addresses in Hong Kong and London, a phone number, and an email
4 address.

5 13. In October 2020, Cloudflare, Inc. provided Plaintiff with a response to subpoena.
6 Cloudflare’s records show Kam Keung Fung as the creator, administrative contact, payor, and
7 responsible party for the account specific to Avgle.com. The records have an address of 78 The
8 Sphere, 1 Hallsville Road, London, E161BE and email addressed of support@avgle.com and
9 avgoraku@gmail.com.

10 I declare under the penalty of perjury under the laws of the United States of America that
11 the foregoing is true and correct.

12 Execute on the 11th day of November, 2020 at Tacoma, Washington.

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15 /s/ Spencer D. Freeman
16 Spencer D. Freeman
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